



REMARKS

Claims 1-8, 10-16 and 18-21 remain in the application with only claims 1, 7 and 12 being in independent form. Reconsideration of the claims, as amended, is respectfully requested.

35 U.S.C. 112

In claims 1 and 7, the computer component remains a subcombination. Claims 1 and 2 have been amended, as suggested by the Examiner.

In the Drawings

The drawings have been amended as suggested, as shown in the attached drawing sheets. Review of the changes to the drawings, and removal of the objections to the drawings is respectfully requested. In regards to claims 4 and 9, Applicants refers the Examiner to "upper cover" 38 in Figs. 2 and 3.

U.S. Patent No. 3,488,097 to H.S. Fall

Claims 1 and 3-10 were rejected as being anticipated by the '097 Fall patent with the Examiner stating the following:

The claims are of such breadth that they read on the rack mounting system of H. S. Fall. H.S. Fall discloses a rack mounting system comprising two opposite slide mechanisms having the support rails (10) supporting the slide rails (12, 14). The support rail has a well define first and second securement regions that constitute a central web (54, 56) with first and second flanges (64, 70) extend over between the web. The slide rail (12 and 14) has a height approximately less than half the distance of the support rail. Each slide rail is telescopingly mated with another rails (18, 20) in a stack transverse direction such that to form a set of the slide rail assembly. The slide rail assemblies are disposed adjacently to the longitudinal edges (64, 66, 68, 70) of the securement regions. See Figures 1-5.

Of the claims rejected by the Examiner, only claims 1 and 7 are in independent form. Claims 1 and 7 have been amended so that they now include a slide assembly being secured in a recess of the computer component side.

Since the '097 Fall patent does not suggest or teach a recess in a computer component side, much less a slide assembly secured to or in the recess, amended independent claims 1 and 7 are not anticipated by or obvious in view of the '097 Fall patent. *In re Sernaker*, 702 F.2d 989, 994-996 (Fed. Cir. 1983).

U.S Patent No. 5,460,441 to Hastings et al. in view of U.S. Patent No. 5,571,256 to Good et al. and U.S. Patent No. 2,346,167 to J.R. Jones et al.

In rejecting claims 1, 3-10, 12, 13 and 15-21, the Examiner stated as follows:

Hastings et al. ('441) disclose a rack mount computer system (10) comprising a rectangle configured cabinet (12) enclosed by access sides and rear panels (16, 20) and an access door (22) is hingedly secured to the front side of the cabinet. The cabinet is designed to have supporting rail structures (52) that is attached to the side panels for supporting the slidably computer component server (32a) that is slid in and out of the cabinet for access. The server has telescoping slide rails at the lower end of its peripheral side walls (48) for cooperatively engaged the sliding rail assemblies (54, 56) and the supporting rail structures (52). A mounting cable support bracket (122) with hinges and flanges connected between the rear sever (sic) and the rear post (28) of the cabinet wherein the bracket is extending out and retract as the server slide in and out the cabinet. See Figures 1-4. It would have been obvious to one of ordinary skill in the art at the time of invention was made to provide the computer component sides of Hastings et al. ('441) with a recess at the lower end of the component sides as taught by Good et al. ('256) in order (sic) the slide rail portion that is mounted thereon (sic) the recess to be flushed with the side wall of the computer system server. J.R. Jones et al. teach the two identical opposite rail systems comprising a support rail (A) supporting slide rail (C) and telescopingly mated in a stack transverse direction with other rail (B) so that to form a set of a rail assembly. The support rail has a central web with an upper and lower flanges (10, 11) formed thereof at the top and bottom, see Figure 11. The web has a longitudinal axis that is dividing the web into the upper and lower mounting regions. (It should be noted that all objects have a longitudinal axis). There are attaching means (20) located at the upper and lower securement regions of the web. The slide rail (C) is specifically recited as having a less vertical depth than the supporting rail so that it fixed at the lower edge portion of the support rail, see column 2, lines 21-23. See Figures 1-13. It would have been obvious to one of ordinary skill in the art at the time of invention was made to provide the rack mount computer system of Hastings et al. with a rail system as taught by J.R. Jones et al. in order to have a slide rail that is telescopingly mated in a stack transverse direction with other rail to form a slide assembly. With respect to the slide rail assembly having a height less than half the distance of the support rail, it would have been an obvious matter of choice of design at the time the invention to have made the slide rail assembly half the height of the support rail for a particular application thus producing no new and unexpected results. Also, it should be noted that J. R. Jones is specifically teaches the slide rail assembly in less depth/height than the supporting rail.

Of the claims rejected by the Examiner, only claims 1, 7 and 12 are in independent form.

Neither the '441 Hastings patent, the '256 Good et al patent, or the '167 Jones patent disclose the side walls in the server or computer component having a recess where an upper cover may be removed down to the recesses to provide access into the computer component.

Applicants have invented a computer component rack mounting arrangement to provide increased internal volume in computer components by using a low-profile rail arrangement. See page 1, lines 9 and 10. In particular, this low-profile rail arrangement provides increased access volume when the server is retracted and increases the useful volume within the server enclosure with a relatively simple structure. See, page 3, lines 2-10 and page 3, lines 15-23.

Applicants provided, at page 8, lines 4-11 and as shown in Figure 2, an embodiment where a slot mounting structure 40 within enclosure 32 is accessible at lower regions due to the low-profile of the rail mounting structures. In this embodiment, the upper cover 38 may be removed down to the recesses 36 to gain access to lower regions of the computer component. See also, page 13, lines 11-16 and page 16, lines 20 to page 17, line 15.

In view of the additional benefits of the present rack mounting arrangement, as discussed above, and since none of the references relied on by the Examiner expressly teach or suggest a cover that can be removed to the recesses to gain access to the computer compound, as now claimed in amended independent claims 1, 7 and 12, these independent claims are not obvious. *In re Dembiczak*, 175 F.3d 994, 1000 (Fed. Cir. 1999) (burden on PTO to prove a suggestion, teaching, or motivation to combine the prior art references cited against the pending claims). Therefore a *prima facie* case on obviousness has not been established.

The ‘441 Hasting patent in view of the ‘256 Good et al. patent and the ‘167 Jones patent, as applied to claims 1, 3-10, 12, 13, and 15-21, in further view of U.S. Patent No. 5,833,337 to Kofstad.

In rejecting claims 2, 11 and 14, which depend directly from amended independent claims 1, 7 and 12, the Examiner stated:

Kofstad teaches the support rail (54) has plurality apertures on the upper and lower mounting regions for receiving fasteners, see Figure 4. It would have been obvious to one of ordinary skill in the art at the time of invention was made to have provided the support rails of Hastings et al. (‘441) with plurality apertures as taught by Kofstad in order for support rails to be enabled to receive plurality fasteners to further enhance the securement of the rail to the structure that is being mounted to.

The ‘337 Kofstad patent does not show the combination of the invention as now claimed in amended independent claims 1, 7 and 12. Since their independent claims are allowable, as discussed above, the rejected depending claims are also allowable.



CONCLUSION

In view of the above, Applicants respectfully request the withdrawal of the rejections to the claims and the allowance of all the remaining claims. If there are any questions or comments regarding this Response to the second Office Action, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

Richard D. Fladung, Reg. No. 30,834

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.
711 Louisiana, Suite 1900
Houston, Texas 77002
(713) 220-5800
(713) 236-0822 Fax

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to BOX FEE AMENDMENTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on July 12, 2000.

Richard D. Fladung, Reg. No. 30,834